

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT
APPLICATION**COMPLETION Under
Rule 53(f)**In re PATENT APPLICATION of

Inventor(s): Robl et al.

Appln. No.: 10/070,719 Atty.Dkt. P 0280713 | Client Ref
Series Code ↑ Serial No. ↑ M#

Filed: March 11, 2002

Title: Embryonic or Stem-Like Cell Lines Produced by Cross Species Nuclear Transplantation

Attn: Application Division

Hon. Commissioner of Patents
Washington, DC 20231

Date: September 20, 2002

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** copy attached not yet received

2. Signed Declaration attached. Original Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and
 "X" box 2A only if top box of the Declaration is X'd and file application copy, or
 "X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A. Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. Specification originally filed in non-English language; hence verified translation attached:
 a. Abstract
 b. # pages of Specification(only spec. & claims)
 c. Drawing(s) _____ No of Sheets
 Fig(s). _____

4. Letter filing formal drawing attached.

5. Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 09/395,368	September 14, 1999	(2) PCT/US00/25090	September 14, 2000
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in _____

8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

9. _____ (No.) Certified copy (copies): attached; previously filed (date) _____
in U.S. Application No. / _____ filed on _____

10. Small Entity Status • is Not claimed is claimed (file PAT-256 if this is the first claim of
Small Entity Status)

11. Attached:

12. Please see the attached Preliminary Amendment which reduces the number of claims for purposes of
reducing the initial filing fee.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

			Large/Small Entity	Fee Code
13. Basic Filing Fee	Design Application Not Design Application	\$330/\$165 \$740/\$370	+0	106/26 101/201
14. Total Effective Claims	minus 20 =	x \$18/\$9	+0	103/203
15. Independent Claims	minus 3 =	x \$84/\$42	+0	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)		\$280/\$140	+0	104/204
17. Surcharge for filing Declaration/filing fee late		\$130/\$65	+65	105/205
18.		FILING FEE =	\$65	
19. Original due date:	August 20, 2002			
20. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2mos) (3mos) (4mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 =	+55 115/215 116/216 117/217 118/218	
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee		\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee.		\$40	+40	581
23. Petition Fee for		\$130	+0	
24.		TOTAL FEE =	\$160	
				PLEASE CHARGE OUR DEP. ACCT.

Our Deposit Account No. 03-3975

Our Order No.

015837

0280713

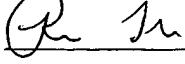
C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

Pillsbury Winthrop LLP
Intellectual Property Group

P.O. Box 10500
McLean, VA 22102
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By Atty: Robin L. Teskin Reg. No. 35,030
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Atty/Sec: RLT/af

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED EMBRYONIC OR STEM-LIKE CELL LINES PRODUCED BY CROSS SPECIES NUCLEAR TRANSPLANTATION

the specification of which (CHECK applicable BOX(ES))
 A. is attached hereto.
 BOX(ES) → B. was filed on March 11, 2002 as U.S. Application No. 10 / 070,719
 → C. was filed as PCT International Application No. PCT/ US00/25090 on 14 September 2000
and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

<u>PRIOR FOREIGN APPLICATION(S)</u>	<u>Date first Laid-open or Published</u>	<u>Date Patented or Granted</u>	<u>Priority NOT Claimed</u>
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

<u>PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)</u>	<u>Status</u>	<u>Priority NOT Claimed</u>
<u>Application No. (series code/serial no.)</u>	<u>Day/Month/Year Filed</u>	
09/395,368	14 September 1999	Pending
PCT/US00/25090	14 September 2000	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 661-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Kendrew H. Colton	30368	Roger R. Wise	31204	Anthony L. Miele	34393
G. Lloyd Knight	17698	G. Paul Edgell	24238	Michael R. Dzwonczyk	36787
Kevin E. Joyce	20508			Robert J. Walters	40862
George M. Sirilla	18221	David A. Jakopin	32995	Jack S. Barufka	37087
Dale S. Lazar	28872	Mark G. Paulson	30793	Adam R. Hess	41835
Glenn J. Perry	28458	Stephen C. Glazier	31361	William P. Atkins	38821
		Richard H. Zaitlen	27248	Paul L. Sharer	36004
				Robin L. Teskin	35030

(1) INVENTOR'S SIGNATURE:

Date:

7/18/02

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(2) INVENTOR'S SIGNATURE:

Date:

7.10.02

Jose		CIBELLI	
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"X" box FOR ADDITIONAL INVENTORS, and proceed on the attached page to list each additional inventor.

See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. P280633

(M#)

DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Steven		L.	STICE	Date: 7/22/02
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Mailing Address (include Zip Code)	468 Amherst Road, Belchertown, MA 380 KIVERBOTTOM RD ATHENS, GA 01007-30606			State/Foreign Country SLS

(4) INVENTOR'S SIGNATURE:

Date:

Residence	First	Middle Initial	Family Name	
Mailing Address (include Zip Code)	City State/Foreign Country			Country of Citizenship

(5) INVENTOR'S SIGNATURE:

Date:

Residence	First	Middle Initial	Family Name	
Mailing Address (include Zip Code)	City State/Foreign Country			Country of Citizenship

(6) INVENTOR'S SIGNATURE:

Date:

Residence	First	Middle Initial	Family Name	
Mailing Address (include Zip Code)	City State/Foreign Country			Country of Citizenship

(7) INVENTOR'S SIGNATURE:

Date:

Residence	First	Middle Initial	Family Name	
Mailing Address (include Zip Code)	City State/Foreign Country			Country of Citizenship

(8) INVENTOR'S SIGNATURE:

Date:

Residence	First	Middle Initial	Family Name	
Mailing Address (include Zip Code)	City State/Foreign Country			Country of Citizenship

(9) INVENTOR'S SIGNATURE:

Date:

Residence	First	Middle Initial	Family Name	
Mailing Address (include Zip Code)	City State/Foreign Country			Country of Citizenship